

Senate Bill 167

In The Senate

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| January 17, 1981 | Introduced and referred to Committee on Local Government. |
| February 23, 1981 | Committee recommend bill do not pass. |

1 *Senate* BILL NO. *67* *Chairs*
2 INTRODUCED BY *Rep. Hagen, Hoffmann, Keating*

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO CHANGE THE METHOD OF
5 ESTABLISHING SALARIES FOR COUNTY ELECTED OFFICIALS AND
6 DEPUTY OR ASSISTANT COUNTY OFFICIALS BY PROVIDING THAT THE
7 SALARIES BE DETERMINED BY THE COUNTY GOVERNING BODY;
8 AMENDING SECTIONS 7-4-2108, 7-14-2610, AND 7-32-104, MCA;
9 AND REPEALING SECTIONS 7-4-2107 AND 7-4-2503 THROUGH
10 7-4-2505, MCA."

12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

13 NEW SECTION. Section 1. County governing body to set
14 salaries -- increases to be uniform. (1) The governing body
15 of a county must annually establish the salary of each
16 elected county official and each deputy or assistant county
17 official by adopting a resolution. This resolution must be
18 adopted no later than March 31.

19 (2) The salaries established as provided in subsection
20 (1) are effective July 1 of each year.

12 NEW SECTION. Section 2. Public hearing and notice
13 required. Before the governing body may establish salaries
14 for county elected officials and deputy or assistant county
15 officials, the governing body must hold a public hearing.
16 Notice of the purpose of the public hearing must be
17 published in a newspaper of general circulation in the
18 county at least once a week for the 2 successive weeks
19 before the public hearing.

20 Section 3. Section 7-4-2108, MCA, is amended to read:
21 "7-4-2108. Mileage allowance for county commissioners
22 -- expenses. (1) In addition to the salary provided by
23 7-4-2107{1} [section 1], each member of the board of county
24 commissioners in counties of the first, second, third, and
25 fourth class shall receive a mileage allowance as provided

1 in 2-18-503 for the distance necessarily traveled in going
 2 to and returning from the county seat and his place of
 3 residence, each day that such trip is actually made and
 4 while engaged in the performance of his official duties.

5 (2) Each member of the board in all other counties is
 6 entitled to a mileage allowance as provided in 2-18-503 for
 7 the distance necessarily traveled in going to and returning
 8 from the county seat and his place of residence each day
 9 that such trip is actually made to perform official duties.
 10 Any county commissioner whose place of residence is 50 miles
 11 or more from the county seat, as measured by the usual route
 12 of travel, and who elects to remain more than one day in the
 13 county seat to attend sessions of the board or perform his
 14 official duties is entitled to receive, in addition to
 15 mileage for one round trip between his place of residence
 16 and the county seat, \$18 per day as expenses for each day's
 17 attendance on sessions of the board while engaged in the
 18 performance of his official duties.

19 (3) All claims for lodging expense reimbursement
 20 allowed under this section must be documented by an
 21 appropriate receipt.

22 (4) When other than commercial, nonreceiptable lodging
 23 facilities are utilized by a county commissioner, the amount
 24 of \$7 will be authorized for lodging expenses for each day
 25 in which travel involves an overnight stay in lieu of the

1 amount authorized in this section. However, when overnight
 2 accommodations are provided at the expense of any government
 3 entity, no reimbursement may be claimed for lodging.

4 (5) This section does not apply to counties that have
 5 adopted charter form of government."

6 Section 4. Section 7-14-2610, MCA, is amended to read:
 7 "7-14-2610. Payment of damages and expenses. All
 8 awards of damages estimated by the board or made by the
 9 proper court and all expenses, including those of the
 10 members of the board and their per diem authorized by
 11 7-4-2107--end 7-4-2108, shall be paid out of the county road
 12 fund on the order of the board."

13 Section 5. Section 7-32-104, MCA, is amended to read:
 14 "7-32-104. Salaries. The provisions of 7-4-2503
 15 [sections 1 and 2] notwithstanding, the salaries of the
 16 director and employees of the department of public safety
 17 shall be established by the public safety commission and
 18 shall be paid by the city or town with the board of county
 19 commissioners. Said salaries in any event shall not be less
 20 than those specified--in--7-4-2503 determined pursuant to
 21 [sections 1 and 2]."

22 Section 6. Repealer. Sections 7-4-2107 and 7-4-2503
 23 through 7-4-2505, MCA, are repealed.

24 Section 7. Codification. Sections 1 and 2 are intended
 25 to be codified as an integral part of Title 7, chapter 4,

LC 0933/01

1 and the provisions contained in Title 7 apply to sections 1
2 and 2.

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